

EXHIBIT V

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LINDA JANN LEWIS, MADISON LEE,
ELLEN SWEETS, BENNY ALEXANDER,
GEORGE MORGAN, VOTO LATINO,
TEXAS STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
and TEXAS ALLIANCE FOR RETIRED
AMERICANS,

Plaintiffs,

vs.

RUTH HUGHS, in her official capacity as
Texas Secretary of State,

Defendant.

Civil Action No. 5:20-cv-00577

Related to *Gloria et al. v. Hughs et al.*,
No. 5:20-cv-00527

DECLARATION OF BARBARA ROJAS IN SUPPORT OF PLAINTIFFS' MOTION

Pursuant to 20 U.S.C. § 1746, I, Barbara Rojas, declare as follows:

1. My name is Barbara Rojas. I am over the age of 18, have personal knowledge of the facts stated in this declaration, and can competently testify to their truth.
2. I live in Mesquite, Texas, and am a registered voter in Dallas County. I am 77 years old and a member of the Texas Alliance for Retired Americans. I am currently retired, but before retiring I worked for Electronic Data Systems as a technology supervisor. Since my retirement, I have been actively involved in the Dallas County East Democrats, where I am currently the Treasurer, and TARA, where I am the Secretary. I've been a poll worker in past elections, and currently work on the Dallas County Ballot Board, which I have done for several years.
3. Depending the election, the Ballot Board may consist of over two dozen people, as well as a chair, and an alternate chair. My job on the Ballot Board is to review marked, returned

mail-in ballots that have already been flagged by the county's Signature Verification Board as potentially having a signature that does not match the voter's signature on the application to vote by mail. This is done with the following procedure: First, a meeting of the Ballot Board is called, and if at least six members and the chair attend there is a quorum to vote on signatures. Once there is a quorum, each board member will review the signatures in question and independently vote on whether he or she believes the signature on the ballot carrier envelope matches the signature on the application to vote by mail. The chair of the Ballot Board then tallies the votes and breaks any ties.

4. When reviewing ballots, we do not use any forensic techniques to verify signatures and are not trained to do so. Rather, we are just instructed by the county election administrator to use our best judgment to determine whether the ballot carrier envelope was signed by the same person as the application to vote by mail. The Ballot Board has not been instructed that, if it is too close to call, we should presume the signatures are valid. However, we in Dallas County will sometimes seek to correct human errors: for example, I have heard that, in the past, the Signature Verification Board has seen a ballot carrier envelope that contains a signature with a first name other than the voter's but the same last name, and the board has determined that a husband and wife must have mixed up their ballot carrier envelopes to return their ballots. In that situation, the Signature Verification Board has held the ballot and attempted to locate the returned ballot of the voter's spouse so that the envelopes can be swapped. It is my understanding that not all counties correct for such human error.

5. I do my best to accurately determine whether signatures match. There have been times when I've been confident signatures do match, but ultimately the majority of the Ballot Board has voted the other way and rejected the ballot for signature mismatch reasons. I am also

aware that the Ballot Board has rejected ballots for signature mismatch reasons when those ballots were, in fact, signed by the same person. To illustrate, the chair of the Ballot Board received a letter from a voter who voted by mail because he was temporarily working out of state. That voter had received notice after the election that his mail-in ballot had been rejected for signature mismatch reasons and subsequently wrote to the Ballot Board to inform us that he had signed both the ballot carrier envelope and the application to vote by mail despite the rejection of his signature. That individual had been disenfranchised from the election for which his mail-in ballot was rejected, despite the fact that he had followed all the rules to the best of his ability.

6. Because ballots are reviewed by laypeople with no expert training in signature matching, it is not uncommon for some members of the Ballot Board to conclude that signatures match while other members of the Ballot Board reach an opposite conclusion. Sometimes there is even a tie, and the chair of the Ballot Board has to make the final call. The fact that different members come to different conclusions about the same voter's signatures shows that this is not a science for us.

7. In light of the fact that this is not a science for us and we are making close calls to the best of our abilities, I think it is very important for voters who submit mail-in ballots to have an opportunity to confirm that they signed their ballots if the Ballot Board cannot match that voter's signatures. I know that the county is legally required to inform voters after the election that their mail-in ballots were rejected because of signature mismatch. I don't see why these letters cannot be sent immediately after the mail-in ballots are rejected so that the voter has the time to confirm that they did sign their mail-in ballot before the county canvasses the election. If there is any administrative burden in allowing the opportunity to cure, it is minimal compared to the fact that voters whose mail-in ballots are rejected will be disenfranchised in that election.

8. I believe that many older people will be unable or unwilling to vote in-person because of the COVID-19 pandemic and will be voting by mail for the first time. Indeed, my husband and I have recently applied to vote by mail for the first time and have decided we will likely not be poll workers in November despite being poll workers in every election for the past several years because we are concerned about exposing ourselves to the risk of infection, to which we are both susceptible to severe complications because of our ages and underlying health issues.

9. In my time on the Ballot Board, I have seen many signatures that seem to be from people who have aged or incurred a disability that affects their handwriting. With the influx of elderly voters casting mail-in ballots, I fear we will see many more signatures that may be inadvertently rejected for this reason. The reason I work on the Ballot Board is to do my part to support the democratic process, and much of my work with TARA and the Dallas County East Democrats is to encourage voter turnout. The Signature Match Requirement and its failure to provide voters the opportunity to cure seemingly mismatched signatures is at odds with the democratic process and protecting the franchise of all voters. It frustrates my hard work by making it much more difficult for voters to have their mail-in ballots counted.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 6-19-20

By: Barbara Rojas
Barbara Rojas